

MICHAEL W. DAUGHERTY, ESQ. (Co. Bar No. 49074)
Pro Hac Vice Forthcoming.
RAMSEY L. KROPF, ESQ. (Co. Bar No. 21528)
Pro Hac Vice Forthcoming.
1155 Canyon Blvd., Suite 110
Boulder, CO 80302
Telephone (916) 446-7979
Facsimile: (916) 446-8199
mdaugherty@somachlaw.com
rkropf@somachlaw.com

LAW OFFICE OF FRANK LAWRENCE
FRANK LAWRENCE, ESQ. (Ca. Bar No.147531)
ZEHAVA ZEVIT, ESQ. (Ca. Bar No. 230600)
111 Bank St. No. 175
Grass Valley, CA 95945
Telephone: (530) 362-8434
frank@franklawrence.com
zehava@franklawrence.com

Attorneys for [PROPOSED] Defendant-Intervenor
YUHA AVIATAM OF SAN MANUEL NATION,
a federally recognized Indian tribe

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION – RIVERSIDE**

SAVE OUR FOREST ASSOCIATION,
INC.,

Plaintiff,

v.

UNITED STATES FOREST SERVICE,

RANDY MOORE, in his official
capacity as Chief of the U.S. Forest
Service,

CHRISTOPHER FRENCH, in his
official capacity as Deputy Chief for the
National Forest System of the
U.S. Forest Service,

JENNIFER EBERLEIN, in her official
capacity as Regional Forester for the

Case No.: 5:24-cv-01336-JCG-DTB

**YUHA AVIATAM OF SAN
MANUEL NATION'S REQUEST
FOR JUDICIAL NOTICE IN
SUPPORT OF MOTIONS TO
INTERVENE AND TO DISMISS**

Hearing Date: June 9, 2025
Hearing Time: 9:00 A.M.
Courtroom: 1
Judge: Hon. Jesus G. Bernal

Action Filed: June 25, 2024

1 Pacific Southwest Region of the
2 U.S. Forest Service,

3 DANELLE HARRISON, in her official
4 capacity as Forest Supervisor of the San
Bernardino National Forest of the
U.S. Forest Service,

5 MICHAEL NOBLES, in his official
6 capacity as Front Country District
Ranger of the U.S. Forest Service,

7 Defendants.

8 YUHA AVIATAM OF SAN MANUEL
9 NATION, a federally recognized Indian
tribe, also federally recognized as SAN
10 MANUEL BAND OF MISSION
INDIANS,

11 [PROPOSED] Defendant-Intervenor.

REQUEST FOR JUDICIAL NOTICE

The Yuhaaviatam of San Manuel Nation (“Nation”), a federally recognized Indian tribal government, *see* 89 Fed. Reg. 99899, 99902 (Dec. 11, 2024), hereby requests that the Court take judicial notice of the Exhibits attached hereto in support of the Nation’s motions to intervene and dismiss filed herewith. The Nation makes this request pursuant to Federal Rule of Evidence 201(b), which authorizes a court to judicially notice a fact “not subject to reasonable dispute because it: (1) is generally known within the trial court’s territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Rule 201(c)(2) mandates judicial notice if a requesting party supplies with the necessary information.

A court may judicially notice “matters of public record.” *Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir. 2001). “Because court filings are ‘capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned,’ pleadings filed and orders issued in related litigation are proper subjects of judicial notice under Rule 201.” *McVey v. McVey*, 26 F. Supp. 3d 980, 984 (C.D. Cal. 2014). *See Madera Grp., LLC v. Mitsui Sumitomo Ins. USA, Inc.*, 545 F. Supp. 3d 820, 829 (C.D. Cal. 2021) ((granting “judicial notice of pleadings ... in other matters”) (*citing McVey*). *See also. Reyn's Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 746 n. 6 (9th Cir. 2006) (“We may take judicial notice of court filings and other matters of public record”); *Rodriguez v. Disner*, 688 F.3d 645, 660 n. 11 (9th Cir. 2012) (taking judicial notice of pleadings in related case); *Asdar Group v. Pillsbury, Madison & Sutro*, 99 F.3d 289, 290 n. 1 (9th Cir.1996) (court may take judicial notice of the pleadings in earlier related proceedings).

The Nation therefore respectfully requests that the Court take judicial notice of the documents attached as Exhibits hereto, and which are listed on the following

Table of Exhibits. These documents are pleadings, consisting of declarations and exhibits, filed in the related case *Blue Triton Brands Inc. v. United States Forest Service* Case No. 2:24-cv-09720 (“*BTB v. USFS*”). The documents are listed below in the form “*BTB v. USFS*, ECF X”.

As such, all the Exhibits hereto are obtained from sources that are either generally known within this Court's territorial jurisdiction or can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

TABLE OF EXHIBITS

1	Declaration of A. McCleary, <i>BTB v. USFS</i> , ECF 65-9.
2	State Water Resources Control Board Order WR 2023-0042 (April 23, 2021), <i>BTB v. USFS</i> , ECF 15-6; published at https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/docs/2023/wro2023-0042_corrected.pdf
3	Declaration of Joanne Michelle Hickey, <i>BTB v. USFS</i> , ECF 87-7.
4	Declaration of Rodney Garton, <i>BTB v. USFS</i> , ECF 65-6.
5	Declaration of Daniel J. Little, <i>BTB v. USFS</i> , ECF 65.
6	Declaration of Keith Alexander, <i>BTB v. USFS</i> , ECF 87-1.
7	Declaration of Allison Binney, <i>BTB v. USFS</i> , ECF 87-5.
8	Declaration of Paul Hamai, <i>BTB v. USFS</i> , ECF 65-10.

Dated: March 6, 2025

Respectfully submitted,

LAW OFFICE OF FRANK LAWRENCE

By: ___/S_____
Frank Lawrence, Esq.
Attorneys for Intervenor Yuhaaviatam of
San Manuel Nation